

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

SABRINA JEMISON

PLAINTIFF

v.

3:06CV00020 JTR

JO ANNE B. BARNHART,  
Commissioner, Social  
Security Administration

DEFENDANT

**ORDER**

Defendant has filed an Unopposed Motion to Remand (docket entry #9). Because the claim files of the Administrative Law Judge's ("ALJ") decision and the recording of the hearing cannot be located, Defendant has been unable to prepare a certified record. Defendant will attempt to obtain from Plaintiff's attorney any evidence he may have available, including a copy of the ALJ's decision with exhibit list and the Appeals Council's denial notice, in an effort to prepared the certified administrative record. Otherwise, the Appeals Council will remand the case to the ALJ for reconstruction of the administrative record, to hold another hearing, and to issue a new decision. Plaintiff does not object to this remand.

In pertinent part, 42 U.S.C. § 405(g) (1995) provides the following:

The court may, on motion of the Commissioner of Social Security made for good cause shown before the Commissioner files the Commissioner's answer, remand the case to the Commissioner of Social Security for further action by the Commissioner of Social Security . . . .

Under the circumstances, there is good cause shown, and a remand is proper.

IT IS THEREFORE ORDERED that Defendant's Unopposed Motion to Remand (docket entry #9) is hereby GRANTED, and this case is remanded to the Commissioner. This is a "sentence six" remand.

IT IS FURTHER ORDERED that the Clerk shall administratively close this file.

DATED this 18<sup>th</sup> day of January, 2007.

  
UNITED STATES MAGISTRATE JUDGE